

STATE OF WASHINGTON



OFFICE OF  
INSURANCE COMMISSIONER

In the Matter of	)	
	)	ORDER NO. D05-342
ST. PAUL TRAVELERS CASUALTY	)	
and SURETY COMPANY	)	
	)	CONSENT AND ORDER
TRAVELERS CASUALTY and SURETY	)	LEVYING A FINE
COMPANY of AMERICA,	)	
	)	
Authorized Insurers.	)	

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FINDINGS OF FACT

On July 6, 2004, a rate filing was made to revise the Notary Public Errors and Omissions rates. The filing was to be effective October 1, 2004. In the process of reviewing the filing it was found that there never had been approval for these rates in Washington. Although the original rate filing was submitted in 1996, it was subsequently closed after there was no response to the OIC disapproval letter. Nonetheless, during those nine years, the companies did write the Errors and Omissions coverage.

CONCLUSIONS OF LAW

By failing to obtain approval for the rates to provide the Errors and Omissions coverage the company violated RCW 48.19.040 and RCW 48.10.043.

CONSENT TO ORDER

NOW, THEREFORE, the Companies consent to the following in consideration of the desire to resolve this matter without further administrative or judicial proceedings, and the Commissioner consents to settle the matter in consideration of the companies' payment of a fine and such terms and conditions as set forth below:

- 1) The companies admit to the foregoing Findings of Fact and Conclusions of Law as they pertain to these facts, consent to the entry of this Order, and waive further administrative or judicial challenge to the OIC's action related to the subject matter of the Order;

- 2) Within thirty days of the entry of this Order the companies agree to pay, joint and several, \$10,000 as a penalty for its actions;
- 3) The companies shall not violate the provisions of the Washington State Insurance Code which are the subject of this Order;
- 4) Failure to successfully execute the foregoing shall constitute grounds for the revocation of the companies' certificates of authority and any further sanctions deemed appropriate by the Commissioner.

EXECUTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2005.

ST PAUL TRAVELERS CASUALTY AND SURETY COMPANY  
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

By: \_\_\_\_\_

Title: \_\_\_\_\_

#### ORDER OF THE COMMISSIONER

NOW, THEREFORE, pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

- 1) The companies are fined in the amount of \$10,000, joint and several;
- 2) The fine will be paid within 30 days of the entry of this Order.
- 3) Failure to pay the fine within the time limit set forth above shall result in the revocation of the insurers' certificates of authority and in the recovery of the fine through a civil action brought in behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

ENTERED AT TUMWATER, WASHINGTON this 26<sup>th</sup> day of July, 2005.

MIKE KREIDLER  
Insurance Commissioner

By: \_\_\_\_\_  
Mary M. Cotter  
Staff Attorney, Legal Affairs